



STATE OF MISSOURI
DIVISION OF PROFESSIONAL REGISTRATION
COMPLAINT REPORT

STATE BOARD OF NURSING
P.O. BOX 656, JEFFERSON CITY, MO 65102-0656
800-735-2966 TTY RELAY MISSOURI
800-735-2466 VOICE RELAY MISSOURI
TELEPHONE: 573-751-0070 • FACSIMILE: 573-751-0075
nursinginvestigations@pr.mo.gov
WEBSITE: <http://pr.mo.gov/nursing.asp>

All complaints must be submitted in writing and signed by the complainant. **PLEASE NOTE:** All required fields must be filled in or this form may be returned to you for completion. **TYPE OR PRINT LEGIBLY IN BLACK INK.** The licensee named in the allegation has a right to receive a copy of the complaint.

PERSON MAKING COMPLAINT (COMPLAINANT) INFORMATION

COMPLAINANT NAME (REQUIRED)	TELEPHONE NUMBER (REQUIRED)
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ADDRESS (STREET, CITY, STATE, ZIP CODE) (REQUIRED)

COMPLAINANT'S EMAIL ADDRESS

WITNESS INFORMATION – IF NO WITNESSES, HOW CAN WE VERIFY COMPLAINT? (USE ADDITIONAL SHEET OF PAPER TO EXPLAIN)

WITNESS NAME	ADDRESS	TELEPHONE NUMBER

INFORMATION ABOUT THE NURSE BEING REPORTED

FULL NAME OF NURSE (REQUIRED)	LICENSE NUMBER (IF KNOWN)
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HOME ADDRESS (IF KNOWN)

TELEPHONE NUMBER (IF KNOWN)

WHAT IS YOUR RELATIONSHIP TO THE LICENSEE? (IF ANY)

☐ Spouse
☐ Patient
☐ Co-Worker
☐ Employer
☐ Other:

PLACE OF EMPLOYMENT FOR THE NURSE BEING REPORTED (IF KNOWN)

EMPLOYER

EMPLOYER ADDRESS

EMPLOYMENT STATUS (IF KNOWN)

☐ Termination
☐ Suspension
☐ Resignation in lieu of termination
☐ Other:

COMPLAINT REPORT – PAGE 2**DESCRIPTION OF COMPLAINT**

DATE OF INCIDENT/S

TIME

FACILITY/UNIT

HAS THIS COMPLAINT BEEN REPORTED TO ANY OTHER AGENCY, COURT, OR OTHER ENTITY?

☐ Yes ☐ No

If yes, please provide the name of the entity and contact information.

NAME OF ENTITY

CONTACT PERSON (IF KNOWN)

PHONE

EMAIL

Describe the facts and details of the event(s). In your narrative, you need to distinguish between first-hand observations based upon personal knowledge and hearsay statements obtained from others. When possible, signed statements should be obtained from individuals having direct, first-hand knowledge of the activity. Attach any related documentation. Documentation may include medical records, personnel records, and/or signed witness statements. Attach additional paper if necessary.

Missouri Statutes Chapter 575, RSMo-False Declaration. Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty may be guilty of a Class B Misdemeanor.

I certify that the information provided is true and correct to the best of my knowledge and belief.

SIGNATURE OF PERSON FILING COMPLAINT (REQUIRED)

DATE

MISSOURI STATE BOARD OF NURSING COMPLAINT PROCESS

Complaints may be filed by anyone with knowledge of the alleged violation. A complaint *MUST BE IN WRITING and SIGNED by the person(s) filing the complaint*. A separate complaint report form is required for each nurse you are filing a complaint on.

A complaint must allege a violation of the Missouri Nursing Practice Act. If a nurse has a multi-state license issued by the Missouri Board of Nursing, but the patient is located in a compact state, that particular state has the authority to investigate the complaint. For such situations, the Missouri Board will forward the complaint to that state to investigate since that is where the potential violation occurred. To determine if the incident may be a violation of the Nurse Practice Act (NPA), you may review Section 335.066, RSMo, at <http://www.pr.mo.gov/nursing.asp>. A detailed description of the alleged behavior which violates the Nursing Practice Act must also be provided in the complaint. The complaint should also include any documentation which supports the allegations. The Board of Nursing has only the authority given to it by law. If the allegation(s) does not allege a violation of the Nursing Practice Act, the Board does not have the authority to investigate the complaint.

The written complaint should include the following:

- Correct spelling of the nurse's full name (first and last).
- A detailed summary of each alleged violation of the Missouri NPA. Include the date of each alleged incident and the name of the patient involved. If the incident involves medication, include the name of the medication. Be *very specific* in describing the events.
- List witnesses to the incident(s) and contact information for each.
- The person named in the complaint will be notified of this complaint. **Confidentiality:** Based on State law, the Board cannot guarantee confidentiality of a complainant's identity.

The complaint should be based on first-hand observations and/or personal knowledge and not hearsay statements obtained from others.

Send the completed form to: **Missouri State Board of Nursing**
Attn: Investigations
PO Box 656
Jefferson City, MO 65102
Fax: 573-751-0075
Email: nursinginvestigations@pr.mo.gov

Questions should be directed to the Investigations Section at 573-751-0070 or the above email address.

Please keep these instructions and keep for your information. Return complaint report only. Thank you.

WHAT HAPPENS AFTER THE BOARD RECEIVES MY COMPLAINT?

The Director of Enforcement reviews the information submitted and determines if the Board has jurisdiction, if the complaint contains sufficient information to investigate, and if a violation of the Nursing Practice Act potentially occurred. If so, the case is assigned to a Board investigator. The investigator interviews both the complainant and the licensee. Information is gathered from relevant sources, such as patient records and personnel records. After all available information is collected, both positive and negative, the investigator prepares a report for the Board of Nursing.

HOW LONG WILL THE INVESTIGATION TAKE?

On average, an investigation takes three months to complete.

WHAT HAPPENS AFTER THE INVESTIGATION?

The Board of Nursing reviews the investigative report and decides how to proceed. The Board considers alleged violations based on the merits of each case and potential danger to the public. The threshold for imposing discipline is a violation of the Nursing Practice Act.

If the Board finds that insufficient evidence exists or that no violation of the Nursing Practice Act occurred, the Board will take no action against the nurse.

If a violation of the NPA occurred but the Board decides not to seek formal disciplinary action, the Board may issue a letter of concern, which is not considered a disciplinary action.

The Board may decide to refer the case to legal counsel to file a formal complaint with the Administrative Hearing Commission seeking disciplinary action against the licensee. It is also possible that the Board and the licensee may enter into a settlement agreement stipulating to the facts and discipline to be imposed.

In all situations, you will be notified in writing of the **final** disposition of your complaint.

A delay will occur between the initial contact from the investigator and your receipt of correspondence from the Board office regarding disposition of the case. The Board meets only four times per year and significant delays may occur during the legal process in prosecuting the case through the Administrative Hearing Commission.

CAN MY COMPLAINT BE KEPT CONFIDENTIAL?

No. Based on state law, the Board cannot guarantee confidentiality of a complainant's identity.

WHAT INFORMATION IS AVAILABLE CONCERNING THE STATUS OF A COMPLAINT?

Section 324.001.8 RSMo, states, in part, "...complaints, investigatory reports, and information pertaining to any person who is an applicant or licensee ... are confidential and may not be disclosed to the public or any member of the public, except with the written consent of the person whose records are involved." No information can be released until formal disciplinary action has been taken. Because investigations and legal cases differ in complexity, duration and priority, no definite time frame can be given as to when the complaint process will be completed for any individual case. Generally, cases take a minimum of six months from the beginning to end, while others may continue for years. Pursuant to **Section 324.001.9, RSMo, the Board cannot give you any information on the rationale or basis for the Board's decision.**

IF THE BOARD DECIDES TO TAKE DISCIPLINARY ACTION AGAINST THE NURSE, WHAT OPTIONS ARE AVAILABLE?

Disciplinary action may include censure, denial of a license, probation, suspension or revocation of the license. Conditions may also be imposed including supervision, continuing education, drug screening, counseling or other conditions that are appropriate.

CAN A NURSE WHO HAS BEEN DISCIPLINED BY THE BOARD CONTINUE TO WORK AS A NURSE?

If the discipline is censure or probation, the nurse may continue to practice. If the Board suspends the nurse's license for a period of time, the nurse may not practice until the period of suspension is completed. A licensee may not practice nursing while their license is revoked. One year after the effective date of the revocation, the licensee may re-apply for a license with the Board of Nursing.

IS DISCIPLINARY ACTION PUBLIC INFORMATION?

Yes. It can be accessed on-line at NURSYS.com or by requesting that information from the Board of Nursing.